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 DEPARTMENT OF
PROCUREMENT
STATE OF HAWAII

STATE PROCUREMENT OFFICE NOTICE OF AND REQUEST FOR EXEMPTION FROM CHAPTER 103D, HRS

1. TO: Chief Procurement Officer
2. FROM: PSD/Institutions/Waiawa Correctional Facility

Department/Division/Agency

Pursuant to §103D-102(b)(4), HRS, and Chapter 3-120, HAR, the Department requests a procurement exemption to purchase the following:

3. Description of goods, services or construction:

Refuse service for definitive period of time. The vendor delivers five, eight cubic yard sized trash bins and services them by emptying the contents twice weekly for a period of one year.

4. Name of Vendor: Rolloffs Hawaii
Address: PO BOX 30046 Honolulu Hawaii 96820

5. Price:
\$1620.84/mon

19,450 / yr. *1/11*

6. Term of Contract: *4pm CPO approval 1/11*
From: 2/1/11 To: 2/29/12

7. Prior Exemption Ref. No.

8. Explanation describing how procurement by competitive means is either not practicable or not advantageous to the State: HePS solicitation Q2011000099 went out 8/10/10 and closed 8/20/10. We awarded to lowest bidder under tight timeline due to services needing to start 9/1/10. Clearance documents were not provided at the time of award but WCF personnel thought it would be a formality as the vendor had a history of several other awards. To date, the vendor has not provided the necessary tax clearance documents. Rolloffs Hawaii is the next lowest bidder and would, therefore, become the lowest responsible bidder. Competitive means were used and were open to the largest number of bidders.

9. Details of the process or procedures to be followed in selecting the vendor to ensure maximum fair and open competition as practicable:

As described above, Rolloffs Hawaii is the lowest responsible bidder after the lowest bidder could not provide tax clearance documents. WCF received six responses to the HePS solicitation, the selected vendor underbid all outstanding offers, and that was the criteria used to select them for the job. Per instructions from DAGS/SPO staff, WCF is not reissuing the solicitation but merely selecting the next lowest bidder and will verify that they are indeed a responsible bidder before making the award.

10. A description of the agency's internal controls and approval requirements for the exempted procurement:
WCF will insist that all required documentation is received before awarding the vendor the job.

The BSS, has taken SPO workshops 120, 125, HePS 100, 105 202 and 203.

REQUEST FOR EXEMPTION FROM CHAPTER 103D, HRS (Cont.)

12. A list of agency personnel, by position, who will be involved in the approval process and administration of the contract:			
Name	Position	Involvement in Process	
Walter Zaharevitz	Business Services Supervisor	<input checked="" type="checkbox"/> Approval	<input checked="" type="checkbox"/> Administration
Vernon Tanaka	Institutions Facility Superinten	<input type="checkbox"/> Approval	<input checked="" type="checkbox"/> Administration
		<input type="checkbox"/> Approval	<input type="checkbox"/> Administration
		<input type="checkbox"/> Approval	<input type="checkbox"/> Administration
		<input type="checkbox"/> Approval	<input type="checkbox"/> Administration
		<input type="checkbox"/> Approval	<input type="checkbox"/> Administration

13. Direct inquiries to:	Department: Public Safety	<i>1 Marc S. Yamamoto May 2/9/11</i> <i>587-1215</i> <i>587-1244</i>
	Contact Name: Walter Zaharevitz	
	Phone Number: 677-6131	
	Fax Number: 677-6155	

Agency shall ensure adherence to applicable administrative and statutory requirements

14. *I certify that the information provided above is, to the best of my knowledge, true and correct.*

Joshi Masaka-Huata

2/10/11

Department Head

Date

Reserved for SPO Use Only	
15. Date Notice Posted <u>4/13/11</u>	
<p>The Chief Procurement Officer is in the process of reviewing this request for exemption from Chapter 103D, HRS. Submit written objections to this notice to issue an exemption from Chapter 103D, HRS, within seven calendar days or as otherwise allowed from the above posted date to:</p> <p align="center"> Chief Procurement Officer State Procurement Office P.O. Box 119 Honolulu, Hawaii 96810-0119 </p>	
<p>Chief Procurement Officer's comments:</p> <p>This request is disapproved as it lacks justification for an exemption. Department may use the applicable source selection method to expedite their needs, while affording other potential vendors the opportunity to compete.</p>	

16.

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APPROVED

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DISAPPROVED

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NO ACTION REQUIRED

David S. Goff
Chief Procurement Officer

4/18/2011
Date